

Whereas the said agreement contemplates the cooperation of the Government of the United States in a joint effort to promote the orderly marketing of coffee in international trade, with a view to assuring equitable terms for both producers and consumers by adjusting supply to demand: Therefore be it

Inter-American
Coffee Agreement.
Execution of obliga-
tions.
Treaty Series 970.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the entry into force of the Inter-American Coffee Agreement, as proclaimed by the President, and during the continuation in force of the obligations of the United States thereunder, no coffee imported from any foreign country may be entered for consumption except as provided in the said agreement.

Allocations of quota
to nonparticipating
countries.

SEC. 2. The President is authorized to make such allocations of the quota provided in the agreement for countries not participating in the said agreement as he finds necessary or appropriate in order to afford any such country or countries an opportunity to supply a fair share of the quota, whether or not required by any international obligation of the United States, or in order to make available the types of coffee usually consumed in the United States. The President is also authorized to make such rules and regulations as he finds necessary or appropriate to carry out the provisions of this joint resolution and of the said agreement, and with respect to any provision of such regulations for any act or performance by an importer of coffee, compliance therewith shall be a condition to the entry for consumption of the coffee in respect of which the act or performance is required.

Rules and regula-
tions.

Approved, April 11, 1941.

[CHAPTER 64]

AN ACT

April 11, 1941
[H. R. 4146]
[Public Law 34]

To extend the provisions of the Bituminous Coal Act of 1937 for a period of two years, and for other purposes.

Bituminous Coal
Act of 1937, amend-
ment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 19 of the Bituminous Coal Act of 1937 (relating to termination of the Act) is amended to read as follows:

50 Stat. 90.
15 U. S. C. § 840.
Duration of Act.
1 U. S. C. § 29.

"SEC. 19. This Act shall cease to be in effect (except as provided in section 13 of the Revised Statutes) and any agencies and offices established under, or to engage in the administration of, this Act shall cease to exist at 12:01 A. M., April 26, 1943."

Internal Revenue
Code, amendment.
53 Stat. 432.
26 U. S. C. § 3527.

(b) Section 3527 of the Internal Revenue Code (relating to termination of the bituminous coal taxes) is amended to read as follows:

"SEC. 3527. TERMINATION OF TAX.

"The taxes imposed by this chapter shall not apply to the sale or other disposal, after April 25, 1943, of bituminous coal."

Bituminous Coal
Act of 1937, amend-
ment.

SEC. 2. The Bituminous Coal Act of 1937 is amended by adding after section 21 a new section to read as follows:

50 Stat. 91.
Office of Bitumi-
nous Coal Consumers'
Counsel, establish-
ment.
Post, pp. 202, 544.

"SEC. 22. (a) There is hereby established in the Executive branch of the Government an office to be known as the Office of the Bituminous Coal Consumers' Counsel. The office shall be in charge of a counsel to be appointed by the President, by and with the advice and consent of the Senate. The counsel shall have no financial interest, direct or indirect, in the mining, transportation, or sale of, or the manufacture of equipment for, coal (whether or not bituminous coal), oil, or gas, or in the generation, transmission, or sale of hydroelectric power, or in the manufacture of equipment for the use thereof, and

shall not actively engage in any other business, vocation, or employment. The counsel shall receive compensation at the rate of \$10,000 per year and necessary traveling expenses. With the exception of a clerk to the counsel, the attorneys, and such special agents and experts as the counsel may from time to time find necessary for the conduct of his work, all employees of the counsel shall be appointed and their compensation fixed in accordance with the civil-service laws and the Classification Act of 1923, as amended.

“(b) The counsel shall have and perform the functions conferred and imposed upon the Consumers’ Counsel of the National Bituminous Coal Commission by this Act as in force upon its enactment. The functions of such office which were transferred, by Reorganization Plan Numbered II transmitted by the President to Congress on May 9, 1939, to the office of the Solicitor of the Department of the Interior shall not be performed by such office of the Solicitor after the Bituminous Coal Consumers’ Counsel has taken office, and in no event after the expiration of sixty days after the date this section takes effect.

“(c) All records and property of such office of the Consumers’ Counsel of the National Bituminous Coal Commission transferred by such Reorganization Plan to the office of the Solicitor of the Department of the Interior, and all records and property of the office of such Solicitor used primarily in the administration of any function of the office of such Consumers’ Counsel transferred by such Reorganization Plan, and all personnel so transferred (not heretofore retransferred or separated from the service under section 402 of such Reorganization Plan) and all personnel used in the administration of such functions are transferred to the Office of the Bituminous Coal Consumers’ Counsel established by subsection (a) of this section for use in the administration of the functions vested in such office by this section.

“(d) So much of the unexpended balances of the appropriations, allocations, or other funds available for the use of the office of the Solicitor of the Department of the Interior in the exercise of the functions of the Office of the Consumers’ Counsel of the National Bituminous Coal Commission transferred by such Reorganization Plan, or for the use of the Secretary of the Interior in the exercise of any function so transferred, as the Director of the Budget with the approval of the President shall determine, shall be transferred to the Office of the Bituminous Coal Consumers’ Counsel for use in connection with the exercise of the functions vested in such office by this section. In determining the amount to be transferred the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such appropriations, allocations, or other funds prior to the transfer: *Provided*, That the use of the unexpended balances of appropriations, allocations, or other funds transferred by this section shall be subject to the provisions of section 4 (d) (3) and section 9 of the Reorganization Act of 1939.

“(e) All orders, rules, regulations, permits, or other privileges made, issued, or granted by or in respect of the Consumers’ Counsel of the National Bituminous Coal Commission, or the office of such Consumers’ Counsel, or the Solicitor of the Department of the Interior, or the office of such Solicitor, in the administration of the functions vested in such office or officer by this Act or such Reorganization Plan, and in effect at the time this section takes effect, shall continue in effect to the same extent as if this section had not been enacted, until modified, superseded, or repealed.

42 Stat. 1488.
5 U. S. C. §§ 661-674.
Post, p. 613.
Functions.
50 Stat. 74.
15 U. S. C. § 829 (b).

53 Stat. 1433.
5 U. S. C. § 133t note.

Transfer of records,
property, and per-
sonnel.

53 Stat. 1435.
5 U. S. C. § 133t note.

Transfer of unex-
pended balances.

Proviso.
Use restricted.
53 Stat. 562, 563.
5 U. S. C. §§ 133-
133r.

Continuation of or-
ders, etc.

Pending proceedings.

"(f) No suit, action, or other proceeding lawfully commenced by or against any of the officers or offices referred to in subsection (e) of this section in his or its official capacity or in relation to the discharge of his or its official duties, shall abate by reason of the enactment of this section, but the court or agency before which such suit, action, or proceeding is pending, may (on motion or supplemental petition filed at any time within twelve months after the date this section takes effect showing a necessity for the survival of such suit, action, or proceeding to obtain a settlement of the questions involved) allow the same to be maintained by or against the Bituminous Coal Consumers' Counsel."

Approved, April 11, 1941.

[CHAPTER 69]

AN ACT

To relieve disbursing officers, certifying officers, and payees in respect of certain payments made in contravention of appropriation restrictions regarding citizenship status.

April 11, 1941
[S. 433]
[Public Law 35]

Relief of disbursing officers, etc., for payments to noncitizens.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding provisions contained in the several Appropriation Acts for the fiscal years 1939, 1940, and 1941 prohibiting the payment of compensation therefrom to officers or employees who are not citizens of the United States, the Comptroller General of the United States is hereby authorized and directed to allow credit in the settlement of disbursing officers' accounts, and relieve certifying officers of liability, for such payments for services rendered by noncitizen officers and employees as are otherwise correct and legal, as are made in good faith, and as are found not to be due to any lack of good faith on the part of the payee: *Provided*, That this Act shall only affect such payments as were made prior to January 1, 1941.

Proviso.

Refunds.

SEC. 2. If credit is allowed in disbursing officers' accounts in accordance with section 1 of this Act, the officer or employee, or former officer or employee receiving the payment shall not be required to refund the amount thereof; and any such amount which has been collected from an officer or employee, or former officer or employee, may be refunded to him.

Approved, April 11, 1941.

[CHAPTER 70]

AN ACT

For the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department.

April 11, 1941
[S. 441]
[Public Law 36]

Army.
Credit in accounts of designated disbursing officers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following disbursing officers of the Army of the United States the amounts set opposite their names: Captain Arthur G. Alexander, Finance Reserve, \$100; Lieutenant Colonel Stephen R. Beard, Finance Department, \$585.68; Major Roy J. Caperton, Finance Department, \$307.60; Lieutenant Colonel J. D. Chambliss, Infantry, \$29.80; Lieutenant Colonel Samuel F. Cohen, Infantry, \$39.05; Lieutenant Colonel Edward T. Comegys, Finance Department, \$162.55; Lieutenant Colonel Walter D. Dabney, Finance Department, \$956.51; Lieutenant Colonel William M. Dixon, Finance Department, \$87.81; Major Charles G.